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APR 18 2001

PATENT  
TECH CENTER 1600/2900

DOCKET NO.: CEPH-1447

APR 16 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Siman, Bozyczko-  
Coyne, Meyer and Bhat

Serial No.: 09/473,619

Group Art Unit: 1642

Filing Date: December 29, 1999

Examiner: G. Bansal

For: METHODS FOR DETECTING CELL APOPTOSIS

DATE OF DEPOSIT: April 11, 2001  
I HEREBY CERTIFY THAT THIS PAPER IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID  
ON THE DATE INDICATED ABOVE AND IS  
ADDRESSED TO THE ASSISTANT COMMISSIONER  
FOR PATENTS, WASHINGTON, DC 20231.

  
Paul K. Legaard  
REGISTRATION NO.: 38,534

Box  NON-FEE  
 AF

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

AMENDMENT TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- A Preliminary Amendment.
- An Amendment and Response to Restriction Requirement Responsive to the Office Action Dated March 14, 2001.
- An Amendment Supplemental to the Paper filed \_\_\_\_\_.
- Other: Power of Attorney With Revocation and Statement under 37 CFR 3.73(b)  
w/stamp with attached copy of Assignment papers filed in S.N. 08/967,625; Response to Notice to Comply with Sequence Requirements; copy of Notice to Comply with Sequence Requirements; Statement to Support Filing and Submission of Sequence Listing; Paper copy

of Sequence Listing - one page; Computer Readable Form of Sequence Listing.

- Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
  - an Independent Inventor
  - a Small Business Concern
  - a Nonprofit Organization
- This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.
- Substitute Pages \_\_\_\_\_ of the Specification are enclosed.
- An Abstract is enclosed.
- \_\_\_\_\_ Sheets of Proposed Corrected Drawings are enclosed.
- A Certified Copy of each of the following applications: \_\_\_\_\_  
\_\_\_\_\_ is enclosed.
- An Associate Power of Attorney is enclosed.
- Information Disclosure Statement.
  - Attached Form 1449.
  - A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- Appended Material as follows: \_\_\_\_\_
- Other Material as follows: \_\_\_\_\_

## FEE CALCULATION

No Additional Fee is Due.

			SMALL ENTITY		NOT SMALL ENTITY		
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	Fee	RATE	Fee
TOTAL CLAIMS	46	46 (20 MINIMUM)	0	\$9 EACH	\$	\$18 EACH	\$0
INDEP. CLAIMS	11	11 (3 MINIMUM)	0	\$40 EACH	\$	\$80 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$135	\$	\$270	\$0
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$195	\$	\$390	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$445	\$	\$890	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$690	\$	\$1390	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$945	\$	\$1890	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$ )
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE							\$0

- A Check is Enclosed in the Foregoing Amount Due.
- Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of @@ to and through @@ comprising an extension of the shortened statutory period of @@ month(s).
- The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.

The Forgoing Amount Due for Filing this Paper.

Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.

Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: 11 April 2001

  
\_\_\_\_\_  
Paul K. Legaard  
Registration No. 38,534

Woodcock Washburn Kurtz  
Mackiewicz & Norris LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

09/473619



Address: COMMISSIONER  
U.S. PATENT AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.



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APR 18 2001

TECH CENTER 1600

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

APPLICANT IS GIVEN ONE EXTENDIBLE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is (703) 30

GEETHA P. BANSAL  
PRIMARY EXAMINER



Application No.: 09/473619

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.

2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."

5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).

6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

7. Other: \_\_\_\_\_

**Applicant Must Provide:**

An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".

An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.

A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**



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TECH CENTER 1000/293 PATENT

DOCKET NO.: CEPH-1447

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Siman, Bozyczko-Coyne, Meyer and Bhat

Serial No.: 09/473,619

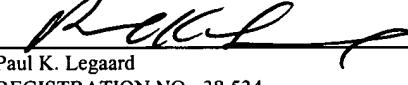
Group Art Unit: 1642

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TO BOX SEQUENCE, ASSISTANT COMMISSIONER FOR  
PATENTS, WASHINGTON, DC 20231.

  
Paul K. Legaard  
REGISTRATION NO.: 38,534

**BOX SEQUENCE**

Assistant Commissioner for Patents  
Washington DC 20231

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURE**

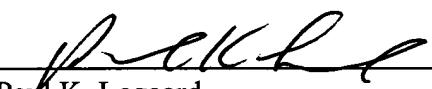
In response to the "Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" dated March 14, 2001, a response to which is due April 14, 2001, enclosed herewith is:

- Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825;
- Paper copy - one page of the Sequence Listing;
- Computer readable form of Sequence Listing;
- Copy of Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;

- Petition for Extension of Time;
- Other:

The Commissioner is hereby authorized to charge any underpayment associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

Date: 11 APRIL 2001

  
\_\_\_\_\_  
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Registration No. 38,534

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